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MISCELLANY.

Want Uniform State Laws.—The executive officers of the National Civic Federation decided yesterday to begin an agitation in all the States for a more uniform system of legislation than exists at present in the different States of the Union. The following committee, with John Hays Hammond as Chairman, was appointed for the purpose of organizing a council of 100 representative men in each State to carry on the agitation:

Alton B. Parker, New York; Myron T. Herrick, Ohio; David R. Francis, Missouri; Curtis Guild, Jr., Massachusetts; Nahum J. Bachel-der, New Hampshire; Edwin Warfield, Maryland; Herman .Ridder, New York; C. F. Brooker, Connecticut; Bruce Haldeman, Kentucky; Victor Rosewater, Nebraska; Clark Howell, Georgia; P. I. Bonebrake, Kansas; James Lynch, Indiana; Harry Pratt Judson, Illinois; A. H. Revell, Illinois; John Lennon, Illinois; John H. Holliday, Indiana; Benjamin Ide Wheeler, California.

A statement was issued by the federation in support of its idea of uniform legislation, which says in part:

The continued existence for eighteen years of the annual conference of Commissioners of Uniform State Laws, created by the different States at the instance of the American Bar Association, shows that the State Executives and Legislatures are fully alive to the importance of this subject. The development of the Nation and the changes in conditions brought about by that development have emphasized the harmfulness of the incongruities in the law, adopted as they have been, without any attempt at uniformity in regulating the same subject matter.

In support of its contention the statement gives extracts from a speech made by Prof. Edwin B. A. Seligman of Columbia University. He is quoted as pointing out that the business of the United States is becoming largely national and international through the operations of the railroads, telegraphs, electric light, and the banks.—New York Times.

Libel on a Government.—Considerable mystification has been created about the proceedings for criminal libel instituted by the United States Government or by some prominent member of it—it is not certain which—against the New York "World" or some writers in it—the name of no defendant is given—in respect of articles charging Mr. Roosevelt's Administration with corruption in connection with the Panama Canal purchase. Since the repeal of the Sedition Law in 1798 there appears to have been no attempt to restrain the license of the American Press, a section of which now maintains that the country has reposed in the belief that the Government could not be libelled, and protests against Mr. Roosevelt's "disregard of precedent" and inauguration of "a surprising innovation." Without entering into the

merits of the main quarrel, we are bound to say that this particular line of defence is reminiscent only of the highway's plea of "the custom of Blackheath," and is likely in the minds of dispassionate judges to have as little effect. The larger question of the right, apart from statutory provision, to libel a Government or to level any scandalous charges against it with impunity, is of more general interest. As Mr. Spencer Bower points out in his recently published Code, any body of persons having a continuous identity, a collective name, and a capacity to sue and be sued in that name or in the name of some officer is for purposes of actions of tort, and therefore of defamation, in the same position as a natural person. Commissioners of works, road trustees, river conservators, and similar bodies have been admitted to sue in their collective names under this general rule, and the powers of these quasi-corporations can scarcely be denied to the general administrative body, known as "the Government." But the law, in its care for reputation and its anxiety to put down unfair attacks on institutions or sections of the community, goes further even than this, for it gives protection to every lawful association of persons (though without corporate name or continuous identity) by permitting any of its members to sue on behalf of themselves and all the other members and to recover damages for matters affecting the common interest.—London Law Journal.

Authority and Precedent in Libel Cases.—Mr. Roosevelt and the members of his Administration who have been attacked do not require to avail themselves of any technical machinery for taking personal action, for there is, in fact, ample justification and precedent for proceedings for libel by or on behalf of a Government. The common Law, which is the heritage of the American as well as of our own people was stated by Coke (1605) in his report of the case "*de Libellis Famosis*," which was for a libel on the then deceased Archbishop of Canterbury, it being alleged by the Attorney-General to be defamatory of his living successor in the office in that he was thereby "traduced and scandalised." The second Resolution of the judges in this celebrated case runs thus: "Although the private man or magistrate be dead at the time of making the libel; yet it is punishable, for in the one case it stirs up either the same family, blood, or society to revenge and to break the peace, and in the other the libeller traduces and slanders the State and Government, which dies not." This rule as to criminal liability has never been questioned, and the "State Trials" are full of such precedents which have been continuous to the present day, the latest being as recent as 1905 (*Rex v. Russell*), where a criminal information was allowed to issue at the instance of a committee of justices for a libel which imputed improper motives in the assessment of compensation on the extinction of certain licensed houses. Whatever else may be said of the proceedings under con-

sideration, the United States Government can certainly not be charged either with innovation or want of legality in any action which it may be moved to take against those responsible for charges of corruption in what was undoubtedly an act of State.—London Law Journal.

IN VACATION.

The Color of a Corporation.—A corporation composed of negroes is held, in a recent Virginia case, not to be a "colored person." This corporation bought the land for an amusement park for the use of colored people, and the land was subject to a covenant against sale thereof to colored persons. But, while it has been well established that a corporation is a person, it is not a colored person because it is composed of persons of color.—Case & Comment.

The Office Boy.—A certain prominent lawyer of Toronto is in the habit of lecturing his office staff from the junior partner down, and Tommy, the office boy, comes in for his full share of the admonition. That his words were appreciated was made evident to the lawyer by a conversation between Tommy and another office boy on the same floor which he recently overheard.

"Wotcher wages?" asked the other boy.

"Ten thousand a year," replied Tommy.

"Aw, g'wán!"

"Sure," insisted Tommy, unabashed. "Four dollars a week in cash an' de rest in legal advice."—Central Law Journal.